IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 21ST JUNE 2007 / 31ST JYAISHTA 1929

Crl.MC.No. 2824 of 2000()

CC.247/1998 of JUDL. MAGISTRATE OF FIRST CLASS COURT, ADIMALI

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PETITIONER: ACCUSED

K.I.SHAFEEJA (MINOR)
REP. BY HER MOTHER
REHIYANATH
KARATTUPARAMBIL HOUSE
P.O.CHELAKKAD
MALAPPURAM DIST.

BY ADV. SRI.K.M.SATHYANATHA MENON

RESPONDENTS: COMPLAINANT

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1. SHAJI.T.K.
   S/O.KUTTAPPAN
   THOPPIL VEEDU
   ANAVIRATTIKARA
   VELLATHUVAL VILLAGE.

2. IBRAHIM KUTTY
   KARATTUPARAMBIL VEEDU
   KATTUPARAKKARA
   P.O.CHELAKKAD, MALAPPURAM DIST.

3. STATE OF KERALA
   REP. BY THE PUBLIC PROSECUTOR
   HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.AMJAD ALI

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 21/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

CRL.M.C.NO.2824/2000

ORDER ON CRL.M.P.NO.2691/2000 IN CRL.M.C.NO.2824/2000

DISMISSED

21.6.2007 SD/- K.R.UDAYABHANU, JUDGE

/TRUE COPY/

P.A. TO JUDGE

K.R.UDAYABHANU, J

Crl.M.C.No. 2824 of 2000

Dated this the 21st day of June, 2007

O R D E R

The petitioner has sought for getting quashed the proceedings in C.C.247/98 of J.F.C.M., Adimali with respect to the offence under Section 420 IPC.

2. It is the contention of the revision petitioner that her name is Shafeeja and not Safiya and that she is a minor. A certificate from the Bank Manager of Malappuram District Co-operative Bank, Kattupara is produced which mentions that she is maintaining a savings account in the bank and that she is a minor. I find that it would suffice to dispose of the matter with direction to the court below to consider the dispute as to the identity of the petitioner/A2 in the private complaint filed as a preliminary point and then proceed. The petitioner is to be exempted from appearance till the above point is decided. The matter is to be posted before the court below on 30.7.2007.

The Crl.M.C is disposed of accordingly.

K.R.UDAYABHANU,
JUDGE

csl